

**AFFIDAVIT IN SUPPORT OF
APPLICATION FOR SEARCH AND SEIZURE WARRANT**

I, Lauren Laielli, being duly sworn under oath and deposed, state the following:

INTRODUCTION AND AGENT BACKGROUND

1. I am a sworn law enforcement officer employed by the New Jersey Office of Homeland Security and Preparedness, hereinafter "NJOHSP". I have been a member of the NJOHSP since July 2015. I have been a sworn law enforcement officer since 2010. I am presently assigned full-time as a Task Force Officer, hereinafter "TFO" with the FBI Philadelphia Joint Terrorism Task Force, hereinafter "JTTF", South Jersey Resident Agency. As an FBI TFO and member of the JTTF, I have been duly deputized as a federal law enforcement officer, which authorizes me to investigate violations of federal criminal law. During my time as a law enforcement officer, I have conducted numerous investigations involving various criminal acts, including violent crime, of various individuals and organizations, and have authored numerous search and arrest warrants.

2. The information contained in this affidavit is based upon my personal observations and investigation, information relayed to me by other special agents and/or law enforcement agents, as well as official reports of law enforcement. Because this affidavit is being submitted for the limited purpose of seizing items recovered during the execution of a previously-authorized search warrant of 5640 Cedar Avenue, Pennsylvania, I have not included every fact known to me concerning this investigation. I have set forth only the facts that I believe are necessary to establish probable cause.

3. On October 26, 2020, I applied for a search and seizure warrant for 5640 Cedar Avenue, Pennsylvania. The warrant was approved on the same day by the Honorable Richard A. Lloret, United States Magistrate Judge. The warrant bears the number 20-1748-MJ. This warrant and the supporting affidavit of probable cause are incorporated herein and made part hereof as Attachment C.

4. On October 28, 2020, the search and seizure warrant bearing number 20-1748-MJ was executed. Investigators found numerous pieces of evidence authorized to be seized by the search warrant. During the execution of this search warrant, investigators discovered in SMITH's bedroom, items that reference anti-police ideology, including signs, banners, reading material, pamphlets, and handwritten notes. These items were observed in plain view in his bedroom, as well as in piles of items being searched on the floor of Smith's bedroom, and in a duffle bag on SMITH's bedroom floor, which was searched for evidence to be seized.

5. In addition to search warrant 20-1748-MJ, investigators served the warrant for the arrest of one of the occupants of 5640 Cedar Avenue, ANTHONY DAVID ALE SMITH ("SMITH"). This warrant was the result of a grand jury indictment on October 20, 2020, and was approved on the same day. During the execution of the warrant, SMITH was placed under arrest.

6. There is probable cause to believe that the materials listed in paragraph 4 will provide information on SMITH's motivation and planning for the crimes for which he has been indicted, and the identity of coconspirators and accomplices in those crimes, namely, the

vandalism and arson of a Philadelphia Police Department vehicle, in violation of 18 U.S.C. §§ 844(f)(1), (2) and 2; 18 U.S.C. §§ 844(i) and 2, 18 U.S.C. §§ 231(a)(3) and 2.

CONCLUSION

7. Based on the aforementioned factual information, and that contained in the search warrant and accompanying affidavit obtained on October 26, 2020 (Attachment C), your affiant respectfully submits that there is probable cause to believe that additional evidence of the commission of criminal offenses, namely, arson of property belonging to an agency that receives federal funding, and aiding and abetting, in violation of 18 U.S.C. §§ 844(f)(1), (2) and 2; arson affecting interstate commerce, and aiding and abetting, in violation of 18 U.S.C. §§ 844(i) and 2, and of obstruction of law enforcement during a civil disorder, and aiding and abetting, in violation of 18 U.S.C. §§ 231(a)(3) and 2, as well as evidence that would identify coconspirators and accomplices, currently located within 5640 Cedar Avenue, Philadelphia, Pennsylvania, and this evidence, listed in Attachment B to this affidavit, which is incorporated herein by reference, is evidence of a crime or property which is or has been used as the means of committing the foregoing offenses.

8. Your affiant, therefore, respectfully requests that the attached warrant be issued authorizing the search of 5640 Cedar Avenue, Philadelphia, Pennsylvania and seizure of evidence related to the aforementioned offenses, including the items listed in Attachment B hereto.

REQUEST FOR SEALING

9. I further request that the Court order that all papers in support of this application, including the affidavit and search warrants, be sealed until further order of the Court. These documents discuss an ongoing criminal investigation that is neither public nor known to all of the targets of the investigation. Accordingly, there is good cause to seal these documents because their premature disclosure may seriously jeopardize that investigation, including by giving targets an opportunity to destroy or tamper with evidence, change patterns of behavior, notify confederates, and flee from prosecution

Respectfully submitted,

/s Lauren Laielli
Lauren Laielli
Task Force Officer
Federal Bureau of Investigations

Subscribed and sworn to before me on October 28, 2020

/s Richard A. Lloret
HONORABLE RICHARD A. LLORET
United States Magistrate Judge

ATTACHMENT A

PROPERTY TO BE SEARCHED

5640 Cedar Avenue, Philadelphia, PA 19143

DESCRIPTION: 5640 Cedar Avenue, Philadelphia, PA 19143. The property is a two-story row home attached on one side. The residence is constructed of brick and yellow siding. The house has a front porch (not enclosed, but covered).



ATTACHMENT B

Items to be Seized

1. The following items which are evidence of or property used to commit violations of 18 U.S.C. § 844(f)(1) and (f)(2) (knowing, intentional, and malicious damage and destruction, and attempted damage and destruction, by means of fire, a vehicle, and other real and personal property, which was owned and possessed by an institution or organization receiving Federal financial assistance, that is, a Philadelphia Police Department vehicle, and created a substantial risk of injury to any person); 18 U.S.C. § 844(i) (arson affecting interstate commerce) and 18 U.S.C. §§ 231(a)(3) (obstruction of law enforcement and interstate commerce during a civil disorder), § 2 (aiding and abetting), as described in the Affidavit in Support of Search Warrant:

- A. Signs, banners, reading material, pamphlets, handwritten notes, and other documents and records that are evidence of a motive to commit the above-listed crimes, and which are evidence of coconspirators and accomplices in the above-listed crimes.

ATTACHMENT C